IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 17775 of 2004**

Between:

Mohd.Ghouse, s/o Mohd.Ibrahim,
Nirmal Bus Depot and Muthawalli, r/o H.No.7-3-29/11, Zohra

Nagar, Nirmal Mandal, Hyderabad.

**..... PETITIONER**

AND

The Andhra Pradesh State Wakf Board, Hyderabad rep., by its Chief Executive Officer, Haj Complex, Nampally, Hyderabad.

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction or any other appropriate writ declaring in action of the respondents is not disposing the petitioner application for the towliath in respect of Muslim Wakf Property i.e., muslim graveyard situate at Budraopet Nirmal Mandal, Nirmal District, Adilabad, A.P.Gazette notification dated 30-3-1989 of the Wakf property Serial No.6926 is illegal arbitrary void and consequently direct the respondent to make dispose the application of towliath as early as possible and grant such other relief or reliefs.

**Counsel for the Petitioner:MR.M.T.GHORI**

**Counsel for the Respondent: MR.A.M.QURESHI**

**The Court at the stage of admission made the following Order:**

The petitioner seeks declaration that the alleged inaction on the part of the respondent in disposing of the application said to have been made by the petitioner in the year 2000, requesting to appoint him as Muthawalli, as arbitrary and illegal.

The writ petition, on the face of it, is barred by latches and on that ground alone the writ petition is liable to be rejected.

The writ petition is accordingly dismissed. No costs.

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4-10-2004

kdl

To

1 The Chief Executive Officer, Andhra Pradesh State Wakf Board, Hyderabad. Haj Complex, Nampally, Hyderabad.

2 Two C.D. Copies